

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

GERALD R. HERBERT,

No. CV 07-1374-MO

Plaintiff,

JUDGMENT

v.

COMMISSIONER SOCIAL SECURITY
ADMINISTRATION,

Defendant.

MOSMAN, J.,

Based on the record,

IT IS ORDERED AND ADJUDGED that the Commissioner's decision is REVERSED
and REMANDED for proper consideration of lay testimony as stated on the record.

DATED this 3rd day of November, 2008.

/s/ Michael W. Mosman

MICHAEL W. MOSMAN

United States District Judge